CHANNEL ISLANDS NATIONAL MARINE SANCTUARY SANCTUARY ADVISORY COUNCIL

FINAL MEETING NOTES¹

Friday, January 20, 2006

Casa Las Palmas 323 E. Cabrillo Blvd. · Santa Barbara, CA

Note: Audio tape recordings of this Sanctuary Advisory Council (SAC) meeting are available upon request; contact the SAC Coordinator at 805-884-1464.

Attending:

GOVERNMENT REPRESENTATIVES:

NATIONAL MARINE FISHERIES SERVICE

Alternate Lyle Enriquez

NATIONAL PARK SERVICE

Member Russell Galipeau

US DEPARTMENT OF DEFENSE

Member Steven Schwartz Alternate Walter Schobel

CALIFORNIA DEPARTMENT OF FISH AND GAME

Member Marija Vojkovich

COUNTY OF SANTA BARBARA

Member Dianne Meester [SAC Chair]

Alternate Michelle Gibbs

COMMUNITY REPRESENTATIVES:

TOURISM

Member Lauri Baker

NON-CONSUMPTIVE RECREATION

Member Warren Glaser Alternate Scott Dunn

BUSINESS

Member Bill Spicer Alternate Bill Agosta

CONSERVATION

Member Linda Krop [SAC Vice Chair]

Alternate Greg Helms

COMMERCIAL FISHING

Alternate Jim Marshall Member

RECREATIONAL FISHING

Member Merit McCrea

EDUCATION

Member Barbara LaCorte Alternate Dan Powell

RESEARCH

Member Robert Warner, Ph.D

PUBLIC AT-LARGE-1

Alternate Phyllis Grifman

PUBLIC AT-LARGE-2

Member Eric Kett [SAC Secretary]
Alternate Matt Lum

CHUMASH COMMUNITY

Member Paulette Cabugos

NON-VOTING MEMBERS:

Channel Islands National Marine Sanctuary

Chris Mobley, Manager

Monterey Bay National Marine Sanctuary

Member Karen Grimmer, Sanctuary Acting

Superintendent

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¹Adopted at the March 22, 2006 SAC Meeting.

Absent:

GOVERNMENT REPRESENTATIVES:

NATIONAL MARINE FISHERIES SERVICE

Member Mark Helvey

NATIONAL PARKS SERVICE

Alternate Gary Davis

U. S. COAST GUARD
Member Lt. Ronald Fien

Alternate John Luzader

MINERALS MANAGEMENT SERVICE

Member Fred Piltz, Ph.D.

Alternate Ann Bull

CALIFORNIA DEPARTMENT OF FISH AND GAME

Alternate Kristine Barsky

CALIFORNIA RESOURCES AGENCY

Member Brian Baird Alternate Leah Akins

CALIFORNIA COASTAL COMMISSION

Member Rebecca Roth Alternate Gary Timm

COUNTY OF VENTURA

Member Lyn Krieger Alternate Jack Peveler **COMMUNITY REPRESENTATIVES:**

TOURISM

Alternate <vacant>

COMMERCIAL FISHING

Chris Hoeflinger

RECREATIONAL FISHING

Alternate Steve Roberson

RESEARCH

Alternate Dan Brumbaugh, Ph.D.

PUBLIC AT-LARGE-1

Member Jim Knowlton

CHUMASH COMMUNITY

Alternate <vacant>

NON-VOTING MEMBERS:

Monterey Bay National Marine Sanctuary

Alternate Sean Morton, Management Plan Coordinator

Gulf of the Farallones National Marine Sanctuary

Maria Brown, Manager

Attendance

SAC attendance was good, with 16 of 21 voting seats represented throughout the day from the call of roll to close of business. Five seats were absent for the day: U.S. Coast Guard, Minerals Management Service, California Resources Agency, California Coastal Commission, and Ventura County. Public attendance peaked at approximately seven individuals.

Administrative Business and Announcements

Dianne Meester, Council Chair, presided over the meeting.

New Members

The following new members, who were recently joined or were reappointed to the Council, introduced themselves: Dan Powell (Education seat alternate) and Karen Grimmer (Monterey Bay National Marine Sanctuary member replacing Bill Douros in her capacity as Acting Sanctuary Superintendent). Also announced was that Paulette Cabugos had been appointed Chumash Community seat member, and Barbara LaCorte had been appointed as Education seat member.

Meeting Notes

The November 18, 2005 draft SAC meeting notes were unanimously approved and adopted as final, subject to the incorporation of one sentence structure error pointed out by Paulette Cabugos.

Manager's Report

Chris Mobley highlighted several items in the Manager's Report (provided to all SAC members and the attending public), and also touched on the following items that were not in the report:

- In a similar fashion to the CINMS Advisory Council, the other four west coast Sanctuary Advisory Councils have passed resolutions expressing concern about the potential for increased offshore oil and gas exploration activities, mentioned in the Energy Policy Act of 2005, to affect national marine sanctuaries. A response to these resolutions from the NMSP headquarters is forthcoming.
- At a future point, staff would like to try switching to an electronic SAC meeting packet, with materials available either by download from the CINMS web site or on a CD-ROM. Members that do not wish to switch can still receive an mailed hard copy meeting packet.
- The CINMS operating budget was cut this fiscal year by about 25 percent. NMSP Director Dan Basta wants all SAC members to know that while Advisory Council's cannot write directly to Congress, they are free to individually express their views on the budget to Congress. Linda asked if a budget report could be provided at a future SAC meeting, to which Chris said yes.

Council Member Announcements

Phyllis Grifman announced the two California Sea Grant programs (at USC and at UC) have \$1 million in research funds from the California Ocean Protection Council. This will sponsor research aimed at the OPC priority of ecosystem based management. RFPs from both programs will be available on the Sea Grant websites on January 27, 2006, and preliminary proposals will be due March 1. The websites are www.usc.edu/go/seagrant and www.csgc.ucsd.edu/.

Jim Marshall announced that the Commercial Fishing Working Group has not met since the last Advisory Council meeting, but there has been activity regarding abalone, (reported later in the meeting) and some minor regulation changes at the Fish and Game Commission for the Sea Urchin Fishery. Urchin fishing has been slow due to weather/swells and the lobster fishing season is winding down to its closure in early March.

Linda Krop announced that the California Ocean Protection Council met in Santa Barbara last Friday, they meet every couple of months. More information can be obtained from the California Resources Agency web site. At the meeting on Friday, Linda provided the Ocean Protection Council with copies of the SAC Acoustics and Water Quality reports. The revised draft Environmental Impact Statement/Report for the Cabrillo Port LNG project is due out in early March. A Pacific Salmonid conference will be held in Santa Barbara February 22-25, and on February 26th the Community Environmental Council is holding a Steelhead festival. On February 3rd, the Oak Group (a coalition of local landscape artists) is holding a reception and launching a month-long art show at the Faulkner Gallery benefiting the Environmental Defense Center.

Paulette Cabugos mentioned that on November 20th twenty seven people from the Chumash community met to at the Santa Ynez Reservation to talk about the Sanctuary, the Advisory Council, formation of a SAC working group, and other topics. The meeting was sponsored by Reservation's Elders Council, and future meetings of the Chumash Community Working Group can be held there. The group unanimously backed the appointment of Paulette for the Chumash Community member seat, and supports Reggie Pagaling as alternate. Paulette explained that Reggie is an elder and dancer, has served in many capacities to the Chumash community, and has great knowledge of Chumash culture.

Eric Kett mentioned that due to the recent rains there have been many beach closures this winter/wet season. He pointed out the need for greater awareness during the other nine months of the year (dry season) about what goes into the rivers and stream beds; we need to watch out for water quality and run-off a full 12 months of the year and not just when it rains.

Channel Islands National Park Superintendent Russell Galipeau mentioned that the Park's budget took a 2.5% decrease and a 1% permanent rescission, which is equivalent of one position. Starting March 3rd the Ventura County Museum of Art and History will be showing 25 different artists using a variety of mediums and celebrating the 25th Anniversary of the Park and Sanctuary. The Ventura Unified School District and the Park are working on a cooperative agreement to once again broadcast the underwater video program back to the mainland (to the Park Visitor Center and for use in area schools) using microwave technology. All technological aspects of the project are being provided for by the school district and the Park service is providing content for the project. Russell also mentioned that, for now, proposed Congressional action to transfer Santa Rosa Island to the military appears to be a dead issue. However, there may be something brought to congress next month regarding deer and elk hunting on the island. Santa Rosa Island is the most amenable to the American public out of all of the northern Channel Islands. There is handicap access, air access, and many other qualities that make it unique and essential to the National Park Service. Russell asked Council members and the public to express their concerns about this. In discussion around this topic it was mentioned that the military currently has three of the eight Channel Islands, or about 25% of the islands. Also, the deer and elk on the island are private property; the State and government do not take care of them. There is a special use permit for having them and under current conditions the deer and elk will have to be removed by the end of 2011.

Karen Grimmer announced that on March 4th a marine protected areas symposium will be held in Monterrey, with more information to come via email.

Lauri Baker announced that ... annual meeting they anticipate several hundred people and the peek days are Saturday and Sunday. These dates occur at the same time as the cycle... goes through town on February 22-25 in Santa Barbara...in front of the Veterans' Hall

Merit McCrea thanked Mike Murray for attending the last two working group meetings (RAP and RFWG) and for his continued support of the working groups.

Bill Spicer mentioned that a friend who works at National Geographic said the next edition of the magazine will feature an article on Santa Cruz Island.

Matt Lum mentioned that he has seen the wrong marine reserves maps printed in the Santa Barbara News Press over the past and he will notify CINMS staff if he notices it again.

Discussion of Online Forum

Non-Consumptive Recreation alternate Scott Dunn, explained his idea for creation of an online forum that could be used to help with SAC communications and public outreach. Scott said that he'd like a place to have discussions on valid points and issues. He explained his experience with building these types of forums, and that they have worked well for him and many others. Scott also commented that it would be a great tool for education and outreach, and would reduce the time it takes for him to research everything that the SAC is working on. Scott clarified that he doesn't want to build a place where SAC decisions are made just a place for gathering information.

Mike Murray thanked Scott for all of his work on this and for raising the important issue of how SAC members gather information and talk with each other. Mike reported that he had to check with NMSP headquarters about the rules concerning this type of tool as a possible SAC forum. Mike explained that

the guidance and limitations for the operation of SACs is flexible but has some limits. He pointed out that by Charter the SAC is supposed to have advertised open to the public meetings, and that's where decision making should occur. So, Mike explained, CINMS staff will not be allowed by the NMSP and agency attorneys to set up or utilize for the SAC an online forum area where SAC member negotiations on substantive SAC issues could occur, and which while it could be open to non-members would probably lack the time and date certain noticing of when such discussions might occur. In discussions Mike explained that it is understood that Council members will talk with each other in between public SAC meetings, but technically if such discussions are of a nature where the members are influencing how they might vote or take action at a future SAC meeting, the NMSP guidance on this is that disclosure of such discussions occur at the next meeting. Mike acknowledged, however, that the site has never felt this has been a problem and doesn't feel the need to "enforce" something like that. Mike also explained, however, that if individual members wanted to use such a tool for conducting outreach with their constituency or the community, they are free to do so.

Chris Mobley explained that he understands the desire to have more information and discussion, and he is aware that for those SAC members trying to represent broad and diverse industries or constituencies it is difficult to do so without using various communication tools. Chris pointed out, for example, that recreational fishermen can use various list serves and bulletin boards to help them get a feel for the current thinking and dialogue of those on line, and that can help them form a perspective on issues. Chris said that if members want to use any independent tool like that, they should go ahead, but it won't or shouldn't be a NOAA sponsored server. Chris also shared that in his experience e-mail chat about important topics can have negative impacts on sensitive issues and sometimes face to face or phone conversations are better to use.

Eric Kett explained that he had logged on to Scott's prototype forum and felt it might take him too long to explore the many available topics and areas that he's interested in and might want to track. Scott explained how email notifications of posts can be set up.

Dianne Meester shared that at Santa Barbara County, staff and Board Supervisors would not be allowed to do engage in this for County business. She also said that, based on past experiences with the SAC list-serve, this sort of system holds the potential for abuse, though she didn't think SAC members would intentionally violate rules or guidelines.

Linda Krop reminded others that Working Groups were established for the same sort of purpose – to get more input from others and to support greater communication and outreach. Working Group meetings, she pointed out, are held in public to assure transparency.

Dianne Meester, responding to questions, explained, with concurrence from Mike, that communications outside of public meetings among Working Group members are not a problem, because the Working Groups are not making "decisions" like the SAC can. In general, communications outside of public meetings that are about dialogue and information sharing, but not about forming a SAC decision, are to be expected and fine in terms of the rules governing SACs.

Karen Grimmer explained that at Monterey Bay National Marine Sanctuary there was a similar discussion a few years ago, and the same response was received from NMSP headquarters and attorneys. So, the MBNMS Advisory Council list serve is used for information sharing, not as a decision making tool.

Scott Dunn explained again that he is not proposing or intending for the discussion forum to be used for decision-making, and he understands that decisions are made at the public SAC meetings. He added that he just wants this tool to help in providing information and helping SAC members get pointed in the right direction based on information requests.

Linda Krop recalled the there was abusive language and excessive arguments occurring on the SAC list-serve in the past, before it was decided to not use it as a discussion forum. Based on that, she is skeptical that online SAC issue discussions can be kept from repeating that kind of pattern. Linda did say she is supporting of the value of obtaining more information.

Dianne Meester commented that if she were a member of the public and was trying to keep up with SAC discussions in an online forum, it would be difficult. Scott reiterated that visitors to the site could choose to track or participate in discussions based on their interests, and set things up to be notified automatically if posts are occurring.

Dianne Meester called for a straw poll to see where the SAC members were at with regard to pursue the online forum as a tool for the SAC. 4 members and alternates were interested, 9 were not interested.

Bill Spicer clarified that there is nothing to keep Scott from doing this on his own.

Scott Dunn commented that he could open it up to the public, and allow others to get in. He said that he would like help from SAC members with information sharing, but he could just open it up to the public or just the constituents he's working with for his seat.

Dan Powell commented that as a new SAC member he sees good potential in this to provide an informational place to receive information from the Council and the public. These resources of the forum could expand on the issues being discussed on the Council. Dan said that he understands and support what Scott is trying to do, and he knows that monitors can keep abusive comments under control.

Chris Mobley recommended that if the forum does proceed, it should not to have the Sanctuary's official name on it, and that if SAC members want to use it on their own they should please be careful of the regulations and issues we discussed here and please try to moderate it. If the tool helps you, Chris said, we encourage you to use it, but officially we cannot host it.

Russell Galipeau asked that Scott not place his name and address on the forum as if he's an active member there. If opinions develop in this kind of forum, there is always a perception that those that subscribe to the board endorse those opinions.

Public Comment Period

Jessie Altstatt with the Santa Barbara Channel Keeper let the Council know about eel grass restoration and monitoring work that she has been doing within CINMS (at Anacapa and Santa Cruz Island) and that is funded through a NOAA restoration center grant and in part by the Nature Conservancy. The project is showing some success with transplanted eel grass beds. Jessie also reported that Channel Keeper has run a stream team program along the Ventura River watershed and at Goleta slough to measure physical parameters and bacterial indicators and nutrients. A 3-year report on the Goleta Slough monitoring is now available on the Channel Keeper website (www.sbck.org). Jessie also mentioned that in transiting the Channel they frequently see marine debris, and mylar balloons are common.

SAC 2005 Year in Review and Annual Report

Mike Murray gave PowerPoint Presentation to overview of the Advisory Council's 2005 activities. Details are contained in the Sanctuary Advisory Council draft 2005 Annual Report, sent in the meeting packet mailed in advance of the meeting. Mike provided a brief overview of Advisory Council recommendations, resolutions passed, and comments to CINMS in 2005. Mike also noted the 2005 SAC Chairs and Coordinators meeting was attended by former SAC member and vice-Chair Jim Brye, who

gave a case study presentation on how the Advisory Council addressed marine acoustics via adoption of a Conservation Working Group report and recommendations. Mike mentioned the LNG public education forum held in March, and conceived by the SAC, and the success of the Fishing Education Series initiated by Advisory Council member Jim Marshall. Mike also mentioned that there was a lot of turnover of Advisory Council membership in 2005, with 10 switches for the public seats and 7 switches for government seats. Mike also highlighted working group activities over the year, noting which groups had met publicly in 2005, their major activities, and which have not been active.

Mike highlighted the Advisory Council's major achievement in 2005 as the Conservation Working Group's water quality needs assessment report, containing a series of recommendations, which was ultimately unanimously endorsed by the SAC. Mike thanked the Advisory Council, and especially the Conservation Working Group, for making this happen.

Mike solicited questions, along with comments and a motion to approve the Draft 2005 Annual Work Plan. No comments were made about the draft report. Bob Warner made a motion to adopt the report as final, which Linda Krop seconded, and which then passed unanimously.

SAC Annual Work Plan for 2006

Mike Murray stepped the Council through a handout, "Possible Topics of Interest in 2006 for consideration by the Sanctuary Advisory Council" and first noted that many items were carried over from the 2005 plan, and that staff had created the list of topics based on that and upcoming projects. Mike reviewed the items on the list, noting past Advisory Council activities related to each, working group involvement, and their potential future involvement.

Bob Warner noted that the list contained some statements about the RAP reviewing reports, but because there have been no reports to date the RAP has not been doing that. Bob Warner also noted that there is no entity consolidating monitoring results into a report.

Scott Dunn asked if biological and socioeconomic monitoring could be separated into two items instead of combined into one, for purposes of a priority ranking exercise.

Mike asked Jim Marshall if he and others would like to continue the fishing education series. Jim indicated that he has been talking to members of other fisheries, but to date he hasn't been successful generating interest. Jim suggested that he will continue to look for constituents who would be willing to give presentations, and thought it would provide a good opportunity for them to learn about this forum. Mike noted that Merit McCrea is also interested in arranging for some fishing education presentations. The council generally agreed to keeping this item.

Marija Vojkovich noted that regarding the PFMC 2006 council schedule, they will meet in April in Sacramento, in June in Foster City, and in November probably in San Diego.

Greg Helms suggested that a broader SAC topic might be good to reflect desire to understand fishing and fishery management in general, not only regarding the PFMC, but also other aspects of fishing and fishing management. There was informal general agreement to separate this into a separate fishing education topic. Greg suggested that the Ocean Protection Council would also be an item that the Advisory Council might be interested in learning about.

Bob Warner suggested that learning about California's Marine Life Protection Act might also be good to add under the marine protected areas section. There was general agreement to add this and the MLMA under the marine reserves topic.

Dan Powell noted that under education and outreach, Laura Francis is working on a marine reserves education project for students and adults. Mike said he could work with Dan Powell, Barbara LaCorte and Laura Francis on this to determine what sort of specific item to add to the work plan. Dianne Meester suggested that the SET has been putting together Sanctuary outreach presentations and if there could be presentations on marine reserves the SAC would probably like to see them and could probably use them.

Mike Murray noted that the Draft Management Plan (an item on the topic list) has not been approved for public release but is anticipated to be released in 2006. When it is released it is important to engage the Advisory Council in reviewing and commenting on the documents. There will be two public meetings in addition to two Advisory Council meetings during a 60-plus day comment period. Mike also explained that a supplemental process to consider revising the sanctuary boundaries will be carried out following the management plan review, and following the marine reserves environmental review process. Mike noted that he could not say for sure how far that will go in 2006, but perhaps the Advisory Council would have a presentation about it before the end of 2006.

With regard to water quality Mike suggested that Donna provide information to the Advisory Council in terms of responding to their recommendations and explain a formal two-stage process for building a water quality management plan that would involve formation of a working group. There was no comment and the group informally accepted this item.

Mike explained that during the last meeting it was suggested that learning about domoic acid and red tides should be included in the Council's work plan. Scott Dunn suggested that Peter Howorth would be a good speaker. Marija Vojkovich noted that the Department of Health Services does testing and collects samples for this, so perhaps someone from that agency would be a good speaker. David Caron at USC was suggested by Phyllis Grifman as another possible speaker.

In terms of marine acoustics Mike indicated that there is a lot of work to do. The Advisory Council is due to hear a report back from John Hildebrand's lab on his acoustic monitoring. Mike also said that at the sanctuary we would like to learn more from the Marine Mammal Commission (MMC) and the shipping industry. He added that this issue is also of interest to the NMSP and an expert panel discussion will be held on this topic at the upcoming annual SAC Chairs meeting with speakers including John Hildebrand, the MMC, and representatives from the shipping industry. Mike noted that it is not clear yet what the RAP's role might be. Dan Powell noted that a Navy element seemed to be missing from the list of potential speakers. Mike responded that this is a function of the Conservation Working Group and Advisory Council's focus on shipping noise.

With Liquefied Natural Gas Mike indicated that there is no Advisory Council action regarding the topic apparent at this time, but if the Council is interested staff could help you track this issue.

Walt Schobel there are many issues tied to the Energy Bill about alternative energy sources, and there is now consideration of offshore wind farms. He suggested having someone give a presentation on this. Mike asked that people contact him with suggestions about speakers on this topic.

Regarding aquaculture, Marija noted a national aquaculture bill in congress could set federal policy, and suggested that the Council learn more about this. Also regarding aquaculture, Linda Krop stated that it is important that the Conservation Working Group not just prepare a report for the SAC this year, but also educate the Advisory Council about the topic prior to asking them to review and adopt a report.

Eric Kett suggested the addition of invasive species, their implications, and what can be done about them. Karen Grimmer suggested that the SAC might get some help from the NMSP regional office in addressing this topic.

Dan Powell suggested that artificial reefs should be added to the work plan.

Regarding the completion of the CINMS biogeography study, it was suggested that once the report is out the Council may want another presentation on this.

Mike suggested it would be a good idea to have educational presentations from the Chumash Community Working Group. Paulette suggested that the work plan be changed to reflect three areas of interest expressed at a recent meeting of Chumash community members: 1) Development with CINMS and SAC of the Sanctuary's Chumash cultural component, 2) Exploring tribal MPAs, and 3) Initiating a discussion of government to government relationships.

Michelle Gibbs suggested adding to the plan an effort to learn more about commercial launches out of Vandenberg and updates from the Navy about their regular activities, and tracking of the Defense Reauthorization Act.

Mike summarized that there is not enough meeting time to address all of the issues and suggestions. He suggested that perhaps staff could put the list of topics the Council is interested in on a web site, and provide links to information. Linda Krop said members should try to prioritize the ideas, noting that if people respond with their priorities it will help the Executive Committee consider future agendas. Mike offered to send an email requesting prioritization from SAC members.

Linda Krop made a motion to approve the list as presented in the packet and amended during the discussion today, and add priorities in March. Eric Kett seconded the motion. The motion passed unanimously. Mike will contact Advisory Council members to confirm that he correctly captured their suggested edits. He added that he appreciated Advisory Council members' interest in sharing this with their constituents.

Annual SAC Chairs & Coordinators Meeting

Mike Murray referenced a handout of the April 25-27 meeting agenda for the annual SAC Chairs meeting in Washington DC. Mike explained that when the Chairs convene each year, they are not a decision making body, and do not take group actions. Mike pointed out that most of the agenda is intended to educate the chairs about the NMSP and some national issues, and then reviewed the agenda.

Mike pointed out that the issue of fishing regulations in national marine sanctuaries has been raised and as a result leaders from NOAA's National Ocean Service and National Marine Fisheries Service will give presentations about how NOAA approaches use of the National Marine Sanctuaries Act and the Magnusen-Stevens Fishery Conservation and Management Act with regard to fishing regulations in sanctuaries. He explained that Dianne Meester has just been invited to participate in a conference call as a preview to this presentation. Mike suggested, therefore, that this agenda item be discussed at the SAC's March meeting, after Dianne has been more thoroughly briefed on this.

In looking at the agenda, Dianne Meester suggested that perhaps the acoustics issue and the fishing topic would be the two most important items that she would be interested in hearing more from SAC members about before attending the Chairs' meeting.

Bob Warner said the increasing interest in aquaculture, especially offshore aquaculture, is a topic that should be raised under the fishing topic category.

Russell Galipeau suggested that it would be advisable to have a standard threshold for deciding if a permit should be issued for acoustic activities. Bob asked if the sanctuary has authority to issue permits, to

which Mike responding that they do not, but staff consult with the National Marine Fisheries Service on the issuance of their incidental take permits.

Greg Helms commented that an issue that should be raised is the need to know what kind of national framework is in place to protect sanctuaries from noise associated with seismic testing that is called for in the Energy Policy Act of 2005.

Bob Warner suggested that there is a need to look into research on the impacts of acoustics on fish.

Mike also announced that due to funding shortages, unfortunately, this year the NMSP has had to withdraw the invitation for one additional representative from each Advisory Council to attend the meeting.

Marine Reserves Phase 2 Environmental Review Process

Chris Mobley noted that there was a letter in the SAC meeting packets about this item. The letter is from VADM Lautenbacher of NOAA and responds to Don McIsaac, Executive Director of the Pacific Fishery Management Council. Chris explained that the letter reiterates and clarifies NOAA's decision on how to proceed: a combination of the Magnusen-Stevens Fishery Conservation and Management Act (MSA) and the National Marine Sanctuaries Act (NMSA). Chris also mentioned that the National Marine Fisheries Service (NMFS) currently has an Essential Fish Habitat proposed rule out that proposed providing protection of the sea floor from bottom gear in CINMS marine reserve areas. He explained that the NMSP is hoping to have clearance for a marine reserves/conservation areas draft EIS in the spring.

Bob Warner stated that a major point of contention is that of addressing fishing activities in the water column under MSA, but noted that there are two ongoing processes with no apparent resolution for this. Chris Mobley explained there will be some elasticity to any proposed Sanctuary regulations for marine reserve areas so that the regulation would only apply to whatever is not covered under the MSA.

Report on California Abalone Association's Proposed Channel Islands Abalone Fishery

Jim Marshall indicated that he would be reading from the hand out of a press release included in today's packet (the release had been revised somewhat since the version included in the packet):

The California Abalone Association (CAA), which represents former commercial abalone divers, has proposed a new system to micro-manage a limited red abalone fishery at San Miguel Island. The lynchpin of the system is an ongoing, fishery funded, monitoring program to provide data for yearly stock assessments. A TAC (total allowable catch) would be based on that assessment.

No harvest will be allowed until proper controls are in place and data indicates sufficient population to withstand fishing pressure. Harvests will not exceed rates of recovery assuring that recovery continues during harvest.

The proposal to reopen a limited red abalone fishery has many innovative controls to eliminate the potential for overharvesting. Those controls include but are not limited to:

- 8 inch minimum size limit (Jim noted this is 1 inch larger than the recreational size limit, and ¼ inch larger than former commercial size limit)
- Trip catch limits
- Total allowable yearly catch
- No-take areas

- Limited open area
- Annual assessment of management practices and TAC
- Fixed tags on all legally taken red abalone (for recreationally and commercially harvested abalone)

A fishery will provide approximately 200 thousand dollars per year not currently available for research, monitoring and enforcement. This \$200,000 Is based on catches in the initially small fishery envisioned for San Miguel. If the fishery grows, increased catches would provide more revenue for increased management responsibilities.

The fishery will also continue paying into the Abalone Restoration and Enhancement Fund. That fund was initiated in 1991. There are 225 thousand dollars in that fund will be used as start-up money for the data collection program. That monitoring program will enable gauging of oceanic and human caused fluctuation in abalone populations.

This fishery will have both sport and commercial harvests. The FG Commission will set the allocation of those harvests. Efforts to involve sportsmen in data collection and recreational fishery design are afoot. At this time Department of Fish and Game is setting up a Working Group to address the details of the limited fishery. This fishery design process will take sometime and regulations to institute any future fishery must have Fish and Game Commission approval. Regulations governing resource harvest will necessarily be changed if a harvest is allowed and a California Environmental Quality Act (CEQA) document will be triggered.

Bob Warner suggested that this proposal is fairly far along and must therefore have been based on observations or scientific data on abalone at the island. Jim indicated that Fish and Game data indicate that the current density at San Miguel is 2500/hectare (of all sizes). Jim said the size frequency data is easier to estimate than estimating the number of animals on the reef. It looks like about 13 to 14% of the abalone are above 8 inches. There are 1100 hectares of habitat.

Jim Marshall commented that development of a management framework is important, and it is important to the fishermen that the population be recovered. If it is determined that the fishery cannot open this year, that's fine, but we've got this money and we want to at least get a framework in place.

Russell Galipeau complimented Jim Marshall and Harry Liquornik on their presentation at the Fish and Game Commission, where Russell also testified. Russell noted that he is still unclear about the zone, and asked if there was going to be a deviation from the foundation that the Park supported in the state's abalone recovery and management plan. Jim Marshall replied that the proposal incorporates some of the state plan's goals, such as managing in smaller blocks.

Jim Marshall also indicated that they want equal opportunity for anyone who had a permit when the closure occurred. If they get a TAC (total allowable catch) they want to divide it up among anyone who is interested in participating; but limited entry management schemes would probably come into place eventually. There are 96 of 104 former abalone fishermen still around.

Warren Glaser noted that he would like to see some of these funds go to educating sport divers.

Greg Helms stated that there many good progressive fishery management concepts in here: regional management, co-management, data affirmative management, that people like him would like to support. The problem, Greg said, is that you are applying it to a crashed fishery. Greg pointed out that the Abalone Recovery Plan indicates a requirement for 6500 abalone in density, but this proposal is looking at 2500. He asked Jim if this would require a lowering of the Fish and Game's number. Jim responded that the Fish and Game preferred alternative stated that a density of 6500/hectare had to occur in 75% of

the areas, but this is based on north coast work, which has a different habitat. He said the numbers in the state plan are very precautionary, and that the proposal is to reanalyze that number and use numbers based on what is appropriate here locally. Jim also said that the proposed size limits represent an important precaution in the proposal. Also, he said that all of this is going to be developed with Fish and Game through a transparent process. Jim said they are hoping to have the first data set of 300 band transects around the island by the end of the summer, that will tell us size frequencies and density.

Chris Mobley indicated that the sanctuary's official position is essentially that we don't have a position until we see the data and learn how this will affect the recovery process. Chris recalled that there was a column from Chris Miller back in 1998 or 1999 talking about a locally managed fisheries, with fishermen being stewards of the environment. That is a big goal of the sanctuary. The prime mission of the sanctuary is to restore and protect, but we would love to see fisheries on the west coast be on the cutting edge of sustainable, ecosystem-based management, and not this dichotomy between the regulators and the regulated. We like these basic concepts and we hope to see ways to apply them broadly to fisheries in this region. We applaud Jim Marshall and his group for being progressive in their approach.

Bob Warner stated that abalone don't disperse very far, and we have a pretty good idea of how close they need to be to reproduce so managing them on a smaller scale is reasonable, but don't get the idea that this is broadly applicable to other fisheries. Abalone is ideal for this sort of thinking because the fishery crashed, there is no fishery currently, and no one wants to go back to the old way of management as a result.

Merit asked what the first zone would be and Jim responded it would be in parts of San Miguel. Merit also asked about the IFQ market. Jim answered that the fishermen would like to see transferability of permits. Initially they would like to see an individual quota to consolidate the fishery. There are many examples in other fisheries of how to utilize any remaining unused portion of a quota.

Marija Vojkovich commented that the Department of Fish and Game is looking at this in the same way the ex-abalone fishermen are. We have had very few opportunities to do this over the years. The fisheries have developed on their own and then we've stepped in to regulate them. This is an opportunity to work with a potential fishery from its development. We are encouraging people to come in with their ideas because this is a unique opportunity.

Public Comment

Gail Osherenko with UCSB's Marine Science Institute announced that several students from her coastal and ocean law and policy class are required to attend one public meeting, and are here today. They may approach you during a break so please help them. She noted that it is good to have an agenda item for looking into energy issues, and hopefully you can get a link up on your web site to a site that I suggested in a written comment. MMS now has a notice on their web site for how they will give approval for alternative energy proposals that might come up in outer continental shelf waters, and it might also pertain to conversion of oil rigs to other uses. Visit their new web site for alternative energy, and that should take you to the Fed. Register web site. It's a very interesting set of questions that they've asked. She noted that she is pro-alternative energy, but it is important to consider how the Advisory Councils and National Marine Sanctuaries can get involved. They are supposed to issue their proposed regulations in March, so there is a very short timeline for comments.

Sanctuary Education Team: Preview of Sanctuary outreach presentations

SAC education seat member Barbara LaCorte previewed two outreach presentations developed by the Council's Sanctuary Education Team over the past year. Barbara explained that The SET is almost

completely done with two presentations, and that she is looking for some feedback and, possibly, SAC endorsement of this work. Barbara also said she'd like suggestions for future SET work. Barbara said that SET is now entering into a recruitment stage, and will have a meeting in February or March.

Barbara explained how she put together a bunch of fun activities into a presentation she calls Channel Islands from A to Z ,and another presentation called Discover Channel Islands National Marine Sanctuary. She explained that the SET created these outreach presentations so that if you are interested in using them you can have the presentation, along with a set of basic talking points that you can adapt based on the focus of your talk and the group you are addressing. Barbara added that if you are trying to put something together yourself, the presentations provide you with background, talking points, and background images. Barbara said that SET can work with Advisory Council members or Working Groups to modify these presentations as needed.

Barbara also explained that the SET has also been working on a third outreach presentation about marine reserves. She said that SET wanted the presentations to be responsive to current interests of the sanctuary and the Advisory Council, and that another idea is to have some fact sheets on various topics, such as marine acoustics, or the abalone fishery we just heard about. This way, Barbara said, we could have those fact sheets available when we have volunteers at outreach events.

Barbara then ran through the Discover CINMS presentation (the A to Z presentation wouldn't load). The presentation included information on animals, habitats, geology, cultural uses, other human uses, activities, resources for you to learn about and information on how to get involved in the sanctuary.

Dianne Meester thanked Barbara and the SET for their work on the presentations.

Linda Krop said that these presentations are fabulous and will make it easier to do outreach with constituents, and suggested that it would be helpful if the staff could add some slides on the management plan and marine reserves.

Chris Mobley noted that the SET could help all the other Working Groups with outreach, and that the SET is offering to do more work. He also noted that there is controversy associated with some of the issues touched on and the SET tried to write neutral talking points. He added that we do want these to be as factual as possible, and suggested that if members have any suggestions about how to improve the presentations and talking points toward that end to please let us know.

Bob Warner suggested it would be good to have the presentations available for download on a web site.

Michelle Gibbs noted that she is with the Santa Barbara County Water Agency and is trying to work with cities to do joint water quality education. As such, Michelle said she is interested in joining the SET.

Paulette Cabugos said the Chumash Working Group would like to work with the SET to develop more information about Chumash culture today as well as the depth of their ancient knowledge. Barbara indicated that the SET would be very interested in working with the Chumash Community Working Group on this.

Shiva Polefka noted that the SET provided really great comments for the SAC's water quality needs assessment report, and suggested that it would be a good opportunity for the SET to revisit those recommendations.

A motion was made to adopt and endorse the SET's two completed outreach presentations. The motion was seconded and by voice vote passed unanimously.

Informational Presentation: Bay Watershed Education and Training (B-WET) Program

Seaberry Nachbar, Program Manager for the Bay Watershed Education and Training (B-WET) Program, provided a brief explanation of the B-WET program and the current opportunity to apply for grant funding. Seaberry explained the program's Sanctuary Program history and purpose, and distributed brochures. Seaberry noted that many Senators and members of Congress have helped bring this program around. She pointed out that two areas of focus are K-12 education and the encouragement of professional development for teachers. In California, B-WET is making available \$2 million this year, with \$700,000 to be distributed in the San Francisco area, \$500,000 in the Monterey Bay area, and now \$300,000 in the Santa Barbara and Ventura county areas. She explained that eligible applicants are anyone except federal employees or federal agencies. B-WET is looking to fund sustainable long term efforts that last throughout the year, including preparation of students and teachers, field trips or class activities, science education (such as dune restoration, water quality, etc.). B-WET has already helped fund MERITO and LiMPETS programs and has a strong preference for partnerships.

Seaberry explained that the application due date is Feb. 21st and they have a good response thus far from applicants. Tonight they are having a workshop after the SAC meeting.

Working Group Reports

Conservation Working Group. Linda reported that the group has not met, but is continuing work on an aquaculture report.

Recreational Fishing Working Group. Merit reported that a Working Group meeting was recently held, with a main purpose being that the SAC seat is up for appointment. Merit explained that he is going to reapply for the alternate position, rather than the member position. Merit also explained that the Working Group talked about the value of range markers being installed to mark the shoreline boundary of some of the Channel Islands MPAs. Merit said he received unanimous support from the Working Group to pursue this idea further with the SAC, ideally at the next meeting. Merit also reported that the Working Group had discussed the socioeconomic work being done by Chris LaFranchi, saying that everything seems OK so far. Merit said that when the Working Group came to the topic of the CINMS designation document and proposed changes to it that are coming as part of the marine reserves process and the management plan revision process, the discussion was difficult. He let the Council know that there is a lot of opposition on this. Merit thanked the sanctuary staff for support of the Working Group meeting.

Commercial Fishing Working Group. No report.

Research Activities Panel (RAP). Bob Warner reported that the RAP met yesterday conjunction with the Channel Islands Marine Science Committee, an ad hoc group of researchers doing work in the Channel Islands area that get together periodically to discuss research ideas and funding. Bob said that the joint meeting was held to see if there was overlap in the groups, which there was. One discussion held, Bob reported, was about whether or not if the two groups should combine. Bob explained that it was decided that while there may be reason to hold an occasional joint meeting, the groups and the way that they meet are different enough, and if combined would be so large, that keeping them separate makes more sense at this time. Bob also explained that at the RAP meeting the group discussed the abalone fishery proposal and marine reserves monitoring. Bob commented that there seems to be a need to correct the perception that monitoring is a failure or that it is not doing the job it is supposed to do at the Channel Islands. The RAP, Bob said, could help repackage monitoring results in more of a reporting style, as needed for the SAC, the Sanctuary and others.

Another RAP meeting topic that Bob reported on was the group's discussion about if the RAP would need to meet in person to assess the status of marine reserve monitoring programs (in terms of what is going on in monitoring, what could happen to programs, sources of funding). Bob explained, with some help from Mike Murray who was present for the whole RAP meeting, that the RAP preferred to have staff develop a status report and circulate to RAP members via email for review and comment.

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Bob also talked about the RAP receiving a quick overview about a new Sanctuary Condition report that all sanctuaries are being required to produce. The summary report, Bob explained, has a set template where a series of resource status questions must be answered by each sanctuary regarding the condition and trend of the sanctuary resources. Bob commented that the condition report questions are very broad, the answers may seem to have more weight than they should, and in most cases the true answers are unknown. Bob and Mike explained that the plan is for the Sanctuary staff to approach the RAP, as needed, to ask for help in finding the right experts to ask for assistance, then draft a report, and then show it to the RAP for review and comment.

Chris Mobley explained all federal agencies are being legally required to measure and show performance results, and that the resource condition questions for this report link back to some of the NMSP's basic performance evaluation criteria. What is required, Chris explained, is sort of a basic report card on how well the sanctuaries are doing, and as such we will have to make sure it has the right caveats in it.

Bob Warner said that the RAP talked about the merits of either convening a group of experts to work together on answering the condition report questions, or having staff check with a number of experts individually. Given that the responses were thought to be essentially educated guesses, Bob said many at the RAP meeting seemed to think that looking at the pattern of individual "guesses" provided by experts might get you closer to the truth.

Chumash Community Working Group. Paulette Cabugos said that she talked about the recent meeting of this group earlier, and thanked staff for providing support.

Non-Consumptive Recreation (not a Working Group). Member Warren Glaser reported on his efforts to identify the non-consumptive recreational constituency, and passed around a draft list of contacts that he is working on. He encouraged members to help him add groups to the list and provide, if possible, contact information. On march 14th or 16th Warren said he would like to have an interest group meeting at the Conference room of the Channel Islands National Park in Ventura.

Future SAC Meetings, Events and Agenda Topics

Eric Kett introduced the idea of going ahead at this point and changing some of the future SAC meeting dates to a day other than Friday so that the time could be shifted to an afternoon/evening schedule, and so that the public could more easily attend. There was much discussion about this, and if it should be done now even though staff could not yet say for sure when one of the activities of high public interest, the release of the management plan, would actually happen. Mike explained that the SAC meetings that occur during the management plan comment period would not be the only time that members of the public could comment in person, but instead there will be two separate evening public hearings scheduled for exactly that purpose.

After much discussion, it was agreed by the Council that the March and May SAC meeting dates should be rescheduled to an afternoon/evening program, regardless of whether one or both of those meetings end up coinciding with the release of the management plan, and that the possible dates should be March 15 or 16 and May 16 or 17, with the choice to be made based on availability of the proper venues. Staff will check on those dates and get back to the Council via email.

Meeting notes respectfully submitted by Channel Islands National Marine Sanctuary staff:

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